

ASSEMBLY BILL 2194

Independent Living Programs

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ISSUE

Independent Living Program (ILP) are services provided at the county level to assist current and former foster care youth to transition into independent living. These vital services to a successful transition include: educational support, employment training and education, budgeting and financial management skills, health education services, help finding and maintaining housing, and services to promote youth development.

Typically, foster youth become eligible to receive ILP services between their sixteenth birthday and their date of emancipation (aging out of the system).

However, there are exceptions to these entitlements. Often when a foster child is placed in a guardianship family placement with a non-relative family the county is not obligated or mandated to provide ILP services. Additionally, if a youth is adopted prior to their sixteenth birthday, *regardless of the duration spent in the foster care system*, no ILP services are available to this youth and family whereas if a child enters the foster care system after their sixteenth birthday, they are automatically entitled to receive these services.

This current policy is not reflective of the needs of foster youth in care. Furthermore, it serves as a disincentive discouraging caregivers from both adoption and

guardianship, permanent family settings that are the best for youth and the state.

EXISTING LAW

Existing law requires the State Department of Social Services (DSS) to develop statewide standards for the Independent Living Program for emancipated foster youth established and funded pursuant to federal law. Currently, children placed in guardianship with relatives receiving Kin-GAP benefits are entitled by statute to request and receive these independent living services.

Counties have historically offered ILP services to former foster youth placed with non-related legal guardians and only recently declared these youth ineligible.

SUMMARY

AB 2194 would enable a former foster child placed with a non-related legal guardian to receive ILP services. Additionally, this bill would make ILP services available to an otherwise eligible child who is adopted at 14 years of age or older.

Overall, this bill identifies the need for non-related guardianship youth to receive ILP services as necessary tools to transitioning into adulthood. As such, AB 2194 synthesizes the need for valuable services and guardianship/adoption without having to sacrifice one for the other.

BACKGROUND

- Only recently the State Department of Social Services advised counties that non-related guardianship youth are not included in the federal definition of eligible ILP youth as they are not in “foster care”.
- The Chafee Act, 42 USC 677(a) states that the federal ILP funds are for “children who are likely to remain in foster care until 18 years of age to help these children make the transition to self-sufficiency.” These children, under state law, are clearly in receipt of foster care payments and permanency services and should be eligible for ILP services.
- AB 2194 seeks to address the legal stipulation that denies ILP services to foster children who are placed with a guardian family before turning sixteen years of age, regardless of how long the child spent in the foster care system prior to the guardianship.
- Each year, more than 4,000 foster youth emancipate out of the system and attempt to live independently. Giving ILP services to these young adults eases the difficulty in having to transition into adulthood at a relatively early age.
- **Current outcomes for emancipating foster youth illustrate the strong *need* for these youth to receive Independent Living services such as:**
 - Half of all foster youth do not complete high school
 - Close to a third of foster youth will become homeless within the first year that they leave the system

- Within 2-4 yrs after foster youth “age out” of the system over half are unemployed

SUPPORT

California Association of Adoption Agencies
Los Angeles Affiliate of the National Association of Counsel for Children
CA Welfare Director’s Association (CWDA)
American Federation of State County Employees (AFSCME)

OPPOSITION

None on file.

FOR MORE INFORMATION

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